TWO ESCAPING CONVICTS CAUGHT DON'T ASSIGN GAS CLAIM, SAYS COURT

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NEW YORK, THURSDAY, FEBRUARY 11, 1909.

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GAS CONSUMERS WARNED BY THE FEDERAL COURT AGAINST CLAIM AGENTS

Activities of Gas Consumers' MEASLES CASE Audit Company Brings Quick Action by Lacombe.

MAKES CITY CANVASS.

Concern Blames Its Agents for Saying They Represent the U. S. Commissioner.

All persons entitled to refund from the moneys deposited by the several gas companies are again notified that under the regulations approved by the Court they will receive their rebates promptly and without trouble or expense if they will hold on to their receipts and notify of any change of address. TROSE OF THEM WHO ASSIGN THEIR CLAIMS, OR WHO SIGN CONTRACTS WITH SOLICITING SAME, ARE PUTTING THEM-SELVES TO UNNECESSARY EX-PRINCE AND ARE PROBABLY POSTPONING THE TIME WHEN THEIR REPUND CAN BU MADE.

Commissioner Shields added the fol owing card to the public:

To the Gas Consumers of New York:

Information having come to me that agents representing various alleged auditing companies are using my name in a collection of gas receipts. I wish to serve notice on the public that such representations are entirely false and without any foundation. Gas consumers, who have been already warned by the Court, should look to it that they are not defrauded of their rights. I have authorized no agents to collect gas receipts.

The Gas Consumers' Audit Company is located on the third floor front of a of Health and examined the Schwartz booth just as a man came through the Miss Sylvia Green to Mr. Wilks were building at No. 25 Broadway. It is one baby and had it sent with its mother of the many mushroom gas bill collec- to the Kings County Hospital. Magistion agencies which are springing up all trate Higginbotham reconvened court

By Consent of Court, He Said.

A young man seated at a desk at the week. rear of the office, who gave his name as Barnett, in reply to an inquiry from an Evening World reporter about his concern, said:

with the full consent of the United States Circuit Court." "Who is the head of your company?" was asked.

"Mr. A. T. Rowe, a lawyer," was the

"He is associated with a number of gentlemen. While our concern is not incorporated, we are on record at the County Clerk's office."

"What are the names of the gentle men with whom you are associated?" "There is a Mr. John Smith," replied the young man, "a Mr. Brown and some other gentlemen, but you will have to see Mr. Rowe. He has charge of the whole matter."

Lying on the desk in front of Mr. Barnett was a huge stack of gas receipts, which in all probability had been obtained from gas consumers.

the company. A woman, whose name is orphanage. withheld, surrendered her receipt from 'Agent No. 12," who claimed to be in seven years ago, it is understood, was the employ of the Gas Consumers' Audit one of the owners of the carpet con-

One Woman's Experience. On the back of the receipt the woman wrote her experience of Wednesday

morning with the agent, which is as The agent said Commissioner Shields rised the bonding of this commade up of twelve men, each inches thick and in splendid condition. onded at \$1,000. The bills are to be collected by those men, who will turn

amounts to consumers. He

IN COURT GIVES JUDGE A SCARE

Spectators, Too, in Panic, as Doctor at First Thinks It Smallpox.

No. 255 Broadway, were canvasing the BABY IS THE VICTIM. money drawers one of them pressed the

of the \$12,000,000 gas fund. After an in- Brought Before Magistrate by Mother Seeking Deserting Husband.

an unusual number of young women present because of the Hallenbach atwho received an invitation to her undivorced husband's second marriage, had at least six sympathetic young friends with her, and there were many others who came out of curiosity.

Mrs. Clara Schwartz, a homeless woman, with her eighteen-months-old baby Morris in her arms, came before the Magistrate to ask that her husband be found and compelled to sup-

port her. A physician in court noticed that child was suffering from a bad rash. He told the Magistrate he thought it was smallpox. The Magistrate has several children, and he went white. But he had presence of mind to order the doors of the court closed and then had his probation officer telephone to the Board of Health. The squeals and howls of anger and fright which rent the air of the room after the rumor began to spread were

Dr. Bailey came down from the Board with the glad observation that he had aiready resigned himself to knowing his family only by telephone for the next

n Evening World reporter about his oncern, said: "We are engaged in this business when the full sources of BY WOMAN'S WILL TO MILL WORKERS

It developed to-day that one of the bequests in the will of Mrs. Eva Coch-

in excess of 250, this means that the scuttle of some other house. visited a number of dwellings along total amount of this single bequest will When the police did arrive they sent indictment set aside, demurred on the crime of publishing a libel. West Twenty-fourth street, and at No. be more than \$250,000. Mrs. Cochran out reserves and detectives in every ground that a corporation, being simply 676 found physical proof of the collec- also bequeaths property in Maine to direction, but no trace of the robbers a piece of business machinery, cannot tion of money by an agent representing the House of the Good Shepherd, an could be found.

SKATING AT VAN CORTLAND. The lake in Van Cortland Park is frozen with a good sheet of smooth, glasy ice, and was thrown open this morning for what promises to be the best skating this year. The ice is nine So hurry up you skaters.

The World's Travel Bureau

GIRL "L" AGENT HELD UP, ROBBED BY THREE MEN

With Revolvers Trio Force Victim to Hand Over Bag of Money.

MAKE THEIR ESCAPE.

Scene of Crime One of Loneliest Stations on Brooklyn System.

her cheek that it gouged into her flesh, and she was warned that an outcry

which is one of those "island" affairs between the tracks, about midnight.

Three Drew Revolvers. Miss West sold the .nen tickets, and

her and with a jerk twisted the

the ticket room open. "Don't make any noise or this will go He boked a revolver again cheek and cursed her. The two other men also drew revolvers.

"I couldn't move," said Miss West later, when she talked to the police. "I was paralyzed with fright. saw the two other men point their revolvers at me, and I was ready to faint.

Looted Cash Drawer.

"One of the men came into the ticker booth and forced open the money his revolver, and the third went to the Wilks, of this city, is notifying her head of the stairs, with his revolver friends in Galt of the following andrawn. He evidently was on the watch nouncement made this week to their should any one come up to the station, and he looked as though he were ready

drawer got hold of a purse containing daughter, Miss Silvia, to Mr. Matthew \$25 and in his hurry to get away he Astor Wilks, New York, eldest son dropped it. He held on to the bag of the late Matthew Wilks, Crulcksto change.

opposite door from where the lookout circulated at the time of Mrs. Green's stood. I called to this man: 'I am being famous dinner at the Hotel Plaza, last robbed.' The man stood still. He must February, when she taught a few as- erbocker and Metropolitan Clubs. have been a dummy. He seemed more frightened than I.

where the dummy stood. I called to them: 'I have been robbed. Don't let those three men get away." "Those men weren't dummies. They

started for the three men before they got to the street, and then I ran out on the platform and tried to scream, but I was too weak from fright. "A few minutes later a train came along and I reported to a guard that I had been robbed. The train went to

Sixteenth street and the police of the Fifth avenue station were asked to

Escaped from Pursuers. robbers did not give their names. The murrer filed Jan. 18 by Clarence S. fendant's attorney does not disclose any ran, filed in Yonkers yesterday provides robbers to a tenement house in Fifth Shearn to the indictment, charging the ground for questioning the correctness for the payment of \$1,000 to each em- avenue, between Nineteenth and Twen- Star Company, publisher of the New of the proposition that under the sta- to the other when it slipped from his ployee of the Smith Curpet Company, tieth streets. There the robbers ran Vork American, with criminally libeling tutes of this State a corporation can grasp. He caught it as it was falling, who has been in the company's employ into a hallway and disappeared. They John D. Rockefeller Jr. Under the de- commit a felony; that it can be capable are believed to have reached the roof cision the Star Company will have to of having the intent, knowledge or As the number of such employees is and escaped to the street down the plead to the indictment.

Twentieth street station for two weeks, dictment. This is one of the most lonesome stations in Brooklyn. Three times it has been robbed in the past year, and about eight months ago the young woman who sells tickets in the station at Twenty-fifth street was assaulted by a

on the job to-night

Richest Woman's Daughter, Whose Betrothal Is Announced.



GREEN'S DAUGHTER

Mathew Astor Wilks Is Fiance of Richest Woman's Only Girl, According to Notice Made Public by His Relative

at Galt, Ontario.

nounces the engagement of her only Park, Galt, Ont.

"The two men then started from the The first rumors of the engagement of

GALT. Ont., Feb. 11.-Miss K. L. Tonishing things to the persons who said money. The engagement was denied by Mrs. Green and her dental was corcoborated then by Mr. Wilks, who was

> Matthew Astor Wilks is the son of Matthew Wilks, who was well known in New York society and died at his home n Canada, June 21, 1899, leaving a forune of many millions of dollars. His the time and was as well known at Newport as here. He is a member of the Union, Knick

booth and made for the street just as two young men came through the Coor DEFEND LIBEL INDICTMENT

Corporation Is Capable of Entertaining Malice, Court Says, in Overruling Demurrer to Charge Based on Complaint of J. D. Rockefeller Jr.

entertain malice and cannot, therefore, Miss West is twenty years old, and commit criminal libel. He submitted a convicted of an offense for the com-Mrs. Cochran's husband, who died ha sbeen a ticket seller for the B. R. T. lengthy brief. District-Attorney Jerome mission of which a natural person for the past year. She has been at the submitted a brief in support of the in- would be "punished with imprisonment,

malice necessary to commit a crime, and

provides for he punishment to be inflicted upon a corporation when it is as for a felony."

TAMPA RESULTS.

TAMPA, Fla., Feb. 11.-The races today resulted as follows: ss Wert lives at No. 411 Fortieth wards; selling; five furlongs.—Thekins, st. She says that she will be back 104 (D. Murphy), 3 to 1, even and 1 to 2. FIRST RACE-Four-year-olds and up

Escatia also ran.

10 and out, first; Miss Padden, 4 to 1, 6 to 5 and 1 to 2, second; Gambler, 6 to 1, 2 to 1 and even, third. Time-1.23.

BATTERED SCHOONER IN.

first; Charley Lask, 103 (Lorell), 3 to 1, even and 1 to 2, second; Tresjell, 100 (Griffin), 8 to 5, 4 to 5 and 2 to 5, third. Time-1.05.4. Dona H. Moyes, Redemption, Revery, Odd Trick, Alegra, away, the five-masted schooner M. D. The schooner was exposed to unusually headed by Judge Henry Purcell. Mr severe weather all the way up the coast Dey has been much interested in good roads building in Jefferson County. SECOND RACE-Artful Dodger. 7 to from Hampton Roads

SOCIETY WOMEN JOIN ATTACK ON OPERA "SALOME"

Box Holders in Philadelphia Ask Hammerstein to Cancel Performance.

IMPRESARIO DECLINES

So Notables Who Circulated Petition Will Not Attend Production.

pera and pledging themselves not to

attend the performance to-night. pressive, numerically, but in it are the names of women who have heretofore een identified with those who have supported Hammerstein's Opera House. Among them are Mrs. Frederick Thurston Mason, Mrs. Samuel F. Houson, Mrs. J. Gardner Cassatt and Mrs.

The movement was started by Mrs. hase Whelan, of No. 2133 Walnut street, who was one of the prime novers for the introduction of opera noon in West New York, N. J.

production of "Salome" was preseeing the name of Mrs. Charles S. Sing to-night. Whelan, one of the foremost patrons of art and music in this city, at the head ! of it, said:

I do not think so.'

Then, referring to his book, he conshe get up such a petition?" "But, Mr. Hammerstein, there are

are on this petition, who are subscribers to the Philadelphia Opera House," protested the women's representative. housand?

He then abruptly declared the inclson has lived in New York about half dent was closed so far as he was con-

SURGEON KILLED BY FINGER CU

Blood poisoning resulting from a slight ance or to try to fiee further. cut on the finger during an operation caused the death yesterday of Dr. in rags. His feet were on the ground, into town our friends would aid us. Adolph von Duering, a noted Bronx surgeon and physician. The surgeon, The two young men who chased the noon Justice Dowling overruled the de- Dowling in his decision, "of the authori- while performing the operation in his exhaustion. office, No. 1180 Washington avenue, in the latter part of January, was changing the operating knife from one hand but cut his finger.

When symptoms of blood potsoning set in a number of experts were called Mr. Shearn, after seeking to have the that, in particular, it can commit the in consultation and, as the disease progressed, the most skilful and heroic measures were resorted to in vain. Dr. Von Duering realized to the very last prison was preferable to what he had "He said he couldn't go any further the utter hopelessness of the fight that | undergone. was being made. He, even better than those around him, recognized the approach of the end, with its inevitable agony. He was born in Hamburg, Germany,

in 1852, came to this city when twenty-seven, and removed to the Bronx in He belonged to many organiza-

ASK HUGHES TO NAME DEY.

ALBANY, Feb. 11.-The name of Lewis W. Dey, of Sackets Harbor, was With sails torn and bulwarks washed presented to Gov. Hughes to-day for consideration as minority representative on the new State Highway Commission by a delegation from Jefferson County,

M'CARTHY, ESCAPED CONVICTS, CAUGHT

Motorman Serving Term for Causing Fatal "L" Wreck and Former Policeman Overhauled in West New York.

STARVED THREE DAYS AND TOO WORN OUT TO FIGHT.

Had Been at Work on Clearing for Site of New Prison-Would Have Been Set Free This Summer but for "Break."

After going for three days and nights practically without food, rest or sleep and travelling something like a hundred miles afoot, Paul Kelly nd Charles J. McCarthy, the two Sing Sing prisoners who escaped late Monday from the convict camp on the site of the new prison at Bear Mountain, on the west bank of the Hudson, were captured this after-

society women of Philadelphia against were brought across the river this afsented to Oscar Hammerstein. Mr. ternoon and taken to Police Headquar- near dead, but I'd do it again." Hammerstein, glancing at the list and ters. They will be carried back to Sing

Release Was Near.

Kelly was the motorman of an "L" "Is this lady one of my subscribers? train that plunged from the structure at he talked willingly enough. Fifty-third street and Ninth avenue in September, 1904, while running at exces- "That was all. It was eosy enough. that she did not know how to spend tinued, "No, she is not. Why should sive speed around a curve. He escaped There were seven guards to forty-eight at the time and was captured later in men, and in the fog, that was thick San Francisco, returned to New York, along the river Monday, we slipped some sixty other ladies whose names tried and convicted of manslaughter. McCarthy is an ex-policeman serving

a term for extortion. clearing the ground for the new prison around. near Highland Falls, and slipped away "We had one match. With it we in the dusk, losing themselves in the kindled a fire and laid down by it to underbrush. Of nine prisoners who have sleep. When we woke up it was raining escaped from the camp all have been re- and the fire had gone out and we were

Story of Recapture.

Word reached Chief of Police Gleitswent on the scout.

hanging about an outbuilding of a farm- Sing Sing was still in sight. house waiting to get a chance to steal "A woman at Stony Point-God bless a hite to eat. He was ready to drop, her-gave us a crust of bread. That was too weak to make any show of resist- every bite we had to eat.

"I give up," he said at sight of the woods. We couldn't sleep, we were too two officers. "For God's sake, give me cold and scared and hungry. something to eat. I'm all in."

surrendered almost gladly, saying any was about to collapse from weakness.

Were Nearly Starved.

Although famished for food and weary to the point of exhaustion, he was in had to have food and rest. I hid in the far better plight than his companion. His custome was a wierd combination of rags of prison shoddy and rag carpeting he had picked up. He was bare headed.

At the police station the men ate like starved dogs. When they reached New prison. York chained together and had been carried into Inspector McCafferty's office they are again-are enough to feed a half dozen men, wolfing the food down

like animals. McCarthy became hysterical, begging

camp and treated worse than benete by the most inhuman set of guards that ever lived. I'll get the dungeon and I'm

Escape Was Easy. Kelly was almost cheerful. After he had gorged himself until he could not force another mouthful down his throat

"We just walked away," he said.

away and beat it into the woods. "We figured that the Erie tracks were twenty miles west and made for them. Both men would have been released We walked nearly all night, going west Mr. Hammerstein said in reply; next summer. By their break for lib- as well as we could judge by the stars. What are sixty as compared with four erty they forfelt their good time. They But the fog was so thick we couldn't were employed with a gang of convicts see anything much and got twisted

wet to the skin.

Back in Sight of Prison.

"Next morning we decided that we man, of West New York, that two were on the wrong track and we tried peculiarly acting men had been seen to make our way back to the West lurking on a wooded hill near the town, Shore tracks. We were wet through, which is between Hoboken and Wee- half frozen and hungry. We finally hit hawken. With Roundsman Wallace he the river again only a few miles from where we started. I would say we had They found McCarthy first. He was travelled about forty miles then and

"We started down the shor toward His gray prison uniform hung on him New York. We figured if we could get for his brogans had fallen to pieces. "It was terrible. We dared not try to His eyes were wide staring and he tackle trains because the crews would seemed on the verge of delirium from spot us. We walked all night and most

"We saw the skyscrapers from the After handcuffing McCarthy to the Jersey Hills ti-day. But so far as we oliceman they started to find Kelly. were conferned they were still a million Juided by McCarthy, their search led miles away. Men who looked like us them to the Hackensack River. There, would be spotted anywhere. We hadn't lying in a skiff under a plie of canvas, dared to venture near any houses, but they came upon the ex-motorman. He at last we got desperate, and McCarthy

> We had travelled nearly seventy miles down the railroad tracks of the West Shore and his feet were all raw. He boat while he went to get food or else to give himself up. You know the rest." sleep of exhaustion as they sat manacled wrist to wrist in a chair car were on their way back up the river to the

TWO DEAD FROM FIRE RUINS. CHICAGO, Feb. II.-Two bodies were

recovered to-day from the ruins of the Wabash Rai road warehouse which burned last night with a loss of \$500,000. McCartny became hysterical, begging A third body is believed to be hidden by the debris. One of the bodies recovered was partially dentified as that of "But I'd do it all over again." he kept Thomas Malone, a watchman.